

to require automatic issuance of a license under §5-904 of this subtitle even if, for example, an instructor of the air school is a drug addict or guilty of dangerous conduct. Clarifying legislation would seem appropriate.

5-906. PENALTIES.

ANY PERSON WHO VIOLATES ANY PROVISION OF THIS SUBTITLE IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$500.

REVISOR'S NOTE: This section presently appears as the third sentence of Art. 1A, §6-603(c).

The only changes are in style.

SUBTITLE 10. OPERATION OF AIRCRAFT.

5-1001. LAWFULNESS OF OPERATION.

(A) LEGISLATIVE POLICY.

THERE IS A PUBLIC RIGHT TO FREEDOM OF TRANSIT IN AIR COMMERCE THROUGH THE AIRSPACE OF THIS STATE.

(B) OPERATION OVER LANDS AND WATERS.

THE OPERATION OF AIRCRAFT OVER THE LANDS AND WATERS OF THIS STATE IS LAWFUL, UNLESS THE OPERATION IS:

(1) AT SO LOW AN ALTITUDE AS TO INTERFERE WITH ANY LAWFUL EXISTING USE OF THE LAND OR WATER OR THE SPACE ABOVE THE LAND OR WATER; OR

(2) CONDUCTED IN A MANNER IMMINENTLY DANGEROUS TO PERSONS OR PROPERTY ~~LAWFULLY~~ ON THE LAND OR WATER.

(C) LANDING AN AIRCRAFT.

(1) EXCEPT FOR A FORCED OR EMERGENCY LANDING, A PERSON MAY NOT LAND AN AIRCRAFT ON THE LANDS OR WATERS OF ANY OTHER PERSON WITHOUT THE CONSENT OF THAT OTHER PERSON.

(2) FOR DAMAGES CAUSED BY A FORCED OR EMERGENCY LANDING, A PERSON IS LIABLE AS SET FORTH IN §5-1005 OF THIS SUBTITLE.

REVISOR'S NOTE: This section presently appears as Art. 1A, §3-303 .

In the introductory language of subsection (b) of this section, the more precise term "operation of aircraft" is substituted for "[f]light in aircraft"; this conforms to the